

Public Safety Broadband Network (PSBC) Commission
Department of Public Safety Headquarters, Emergency Operations Center, Waterbury
Minutes of Meeting
July 27, 2017

- Chair, Terry LaValley, called the meeting to order at 9:05 am with the following Commission members present: Al Barber, Vermont Fire Chiefs; Frank Costantino, Agency of Digital Services; Thomas Hango, VSP; Chris Herrick, DPS; Doug Johnston, Vermont Police Chiefs; Ken Jones, ACCD; Dan Manz, EMS Representative; Barbara Neale, E911; and Robert White, AOT; and also present: Lisa Helme, DPS; Nick Brunelli, DPS; Karen Smith, DPS; Brandon Abley, TeleVate (via conference call); Suellen Royea, DPS/CJS; Steve Whitaker, member of the public; and Karl Rinker, member of the public.
- **Agenda Review & Minute Approval:** A request was made to add an outreach update to the agenda. **Al Barber made a motion to add an outreach update to the agenda. Doug Johnston seconded the motion.** Steve Whitaker suggested holding on the minutes as he opposed the scope of the executive session. **Chris Herrick made a motion to approve the minutes as written and distributed. Motion seconded by Tom Hango. Motion approved.**
- **Update from Terry LaValley, FirstNet Single Point of Contact, PSBC Chair:** Terry LaValley reported there have been a lot of inquiries, including a letter from Senator Tim Ashe. DPS continues to provide information and answer questions. Additionally, LaValley reported he had reached out to several key associations (Chiefs/Sheriffs/Fire/EMS associations, to name a few) to provide them with updated information. Coverage continues to be a high priority for the groups. Finally, the Commission website continues to be updated and monitored.
- **RFP Progression:** It was noted that work on drafting an RFP is underway and should be ready soon for review. Parts from other RFPs from different states are being merged to create the RFP, which will include a no cost to the State requirement. The deadline for responding to the RFP is proposed to be September 30, 2017.
- **Continuing Work with FirstNet on Draft State Plan:** It was reported that efforts continue to work with FirstNet on the draft state plan. Many questions have been submitted by Vermont to FirstNet and responses are starting to be received. A concern expressed by Vermont was regarding timely response to the questions. A question asked was whether or not the answers would be published on the State Plan Portal. It was noted that if FirstNet modifies something, it will show up on the portal. However, there has been no commitment from FirstNet to track the changes so that Vermont can easily see what has been updated. Changes to Vermont's spreadsheet of questions will be tracked by DPS in preparation for the August 4, 2017 response deadline, which will include comments received. It was reviewed that the Commission's mission is to provide a recommendation to the Governor and the Commission's response to the FirstNet

plan. Some additional notes of interest included: adoption rates and penalty information will be available in the Governor's portal; some funding may be available through NTIA; and the relationship between AT&T/FirstNet/NTIA is not clear. Another concern expressed was if Vermont decides to opt-out, would AT&T stop enhancing the services in Vermont. It was thought that AT&T has a business plan and would continue to build out and enhance services in Vermont, regardless of any decision by Vermont. The draft state plan process was reviewed, which highlighted that if our recommendation is to opt-in, the Governor's portal could open as early as August 5, 2017. Depending on when Vermont completes feedback to FirstNet and adjustments are made to the draft plan, the Governor's portal could open as late as the end of September. A question was asked about the contents of the Governor's portal. It was noted the Governor's portal will include all the information being reviewed by the Commission and financial information such as the amount of the NTIA grant. Another question asked was regarding the terms of use on the Governor's portal. It was noted that the Governor's portal will include a terms of use agreement; however, work continues to clarify this process before the 90-day window for the Governor's review begins to allow transparency that is compliant with state and federal laws.

- **Public Comment:** Karl Rinker did not have any comments. Some of Steve Whitaker's comments included: he applauds the group's questions of FirstNet and hopes those will not fall through the cracks; that AT&T is not building to public safety standards, nor building out Band 14; suggested the Commission think about what will be in Vermont's RFP including coverage; and he referenced the Senator's letter and asked about extending the deadline for review of the draft state plan and reminded that there were two (2) other elements in the Senator's letter regarding privacy and including the public portion of the plan on the website for review. In response to the comments made, it was noted that a letter was submitted to the Governor to request an extension on the deadline for response; and that the public portion of FirstNet's plan is on the Commission's website and a feedback function will remain open beyond the comment deadline. Steve Whitaker requested that the public portion of the plan be posted on the Commission's website and include the information he received. There was a review of the open portals. It was noted that several public record requests have been received, which are being reviewed and processed. Additional comments made by Steve Whitaker included: that AT&T's offer in no way will meet Vermont's needs and the focus of this Commission should be shifted; that you can't disconnect the public safety use and commercial use; and he requested these topics be added to the agenda. Terry LaValley explained that Band Class 14 is not being deployed across the nation except where there are capacity needs because the AT&T all bands access approach will give first responders preemption capabilities. AT&T will augment with Band Class 14 in areas where they are needed.
- **Chris Herrick made a motion that the Commission go into Executive Session to hear the report from the joint TeleVate and AT&T meetings regarding their review of the draft State Plan. The**

information they will share is exempt from the public records act for security and proprietary reasons. Motion second by Al Barber. Motion carried. Steve Whitaker objected. Chris Herrick made a motion to recess for five (5) minutes to transition. Motion seconded by Al Barber. Meeting recessed at 9:48 am. Meeting resumed from Executive Session at 11:00 am.

- **General business:** No general business was noted.
- **Next Meetings:** It was reviewed that the next meeting is scheduled for August 2, 2017. However, it was thought that not enough new information would be available to justify a meeting and it was suggested to schedule the next meeting once more information was available. A concern was expressed regarding responses and the August 4, 2017 deadline. It was noted that responses will be shared in writing. Lisa Helme will send out an updated spreadsheet on Monday with a deadline for comments. There was a consensus to schedule the next meeting when needed.
- **Adjournment:** Ken Jones made motion to adjourn. Motion seconded by Dan Manz. Motion carried. Meeting adjourned at 11:04 am.